

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-10 and 23-31 are pending in the present application, prior to this amendment. In the Office Action dated June 15, 2004, claims 1-10 and 23-31 were rejected.

Claims 10-31 are canceled by this amendment. Claims 1 and 3-9 are amended. New claims 32-67 are presented for entry and consideration. No new matter is presented hereby. Reconsideration of the claims is requested in view of the interview conducted on October 7, 2004, the amendments and new claims presented herein, and the remarks that follow.

II. RECORD OF INTERVIEW

The applicant would like to thank Examiner Kastler for his helpful comments and suggestions during the telephone interview with the undersigned on October 7, 2004.

Pursuant to 37 C.F.R. § 1.133(b), the following description is submitted as a complete written statement of the reasons presented at the interview as warranting favorable action. The following statement is intended to comply with the requirements of MPEP § 713.04 and expressly sets forth: (A) a brief description of the nature any exhibit shown or any demonstration conducted; (B) identification of the claims discussed; (C) identification of specific prior art discussed; (D) identification of the principal proposed amendments of a substantive nature discussed; (E) the general thrust of the principal arguments; (F) a general indication of any other pertinent matters; and (G) the general results or outcome of the interview, if appropriate.

- (A) No exhibits were shown or demonstrations conducted.
- (B) Claim 1 was discussed generally. The undersigned indicated that amendments would be presented.
- (C) The *Pollkoetter* referenced was discussed briefly during the interview.
- (D) A proposed amendment to claim 1 was discussed.
- (E) The general thrust of the discussion was whether certain amendments to the claims would obviate the pending rejection.
- (F) No other matters were discussed.

(G) It was agreed that a proposed amendment to the subject matter of claim 1 would be submitted for Examiner Kastler's consideration. Additionally, it was agreed that the applicant would submit a Request for Continued Examination to pursue the proposed amendment.

In the event that the foregoing record is not considered complete and accurate, the Examiner is respectfully requested to bring any incompleteness or inaccuracy to the attention of the undersigned.

III. CLAIM REJECTION UNDER 35 U.S.C. § 102(b)

In the Office Action dated June 15, 2004, claims 1-3 were rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,325,873 to Pollkoetter ("Pollkoetter").

According to the Office Action, *Pollkoetter* teaches a metal processing facility including a pouring station (11), heat treatment unit, and an intermediate transfer system including a heat source (54) including heating elements for maintaining castings at a "process temperature", as well as a mechanized arm (55) for transferring the castings from the pouring station to the heat treatment station. In view of the amendments to claim 1, it is respectfully submitted that this rejection is now obviated.

Pollkoetter does not teach or suggest a process temperature control station positioned upstream from a heat treatment station, the process temperature control station comprising a heat source positioned along a path of travel for the castings for applying heat to the castings, and a controller for controlling the amount of heat applied to the castings to maintain the temperature of the castings at or above a process control temperature for the metal of the castings.

Further, *Pollkoetter* does not teach or suggest permitting the molten metal of the castings to solidify while the castings are maintained at or above the process control temperature. Instead, *Pollkoetter* applies heat to a pre-form to heat it to a flow-forming temperature at which the metal is softened and formed into an "intermediate form" (col. 3, lines 49-53).

Additionally, *Pollkoetter* does not teach or suggest maintaining the temperature of the castings at or above the process control temperature as the castings are transferred from the pouring station to the heat treatment unit. Instead, *Pollkoetter* merely teaches that heat is applied to a pre- form to soften the metal and form an "intermediate form" (col. 3, lines 49-53). Once the

pre-form exits the flow forming machine, there is no mention that it is maintained at or above a process control temperature.

Given that *Pollkoetter* does not teach or suggest an integrated metal processing facility comprising, *inter alia*, a controller for controlling the amount of heat applied to the castings to maintain the temperature of the castings at or above a process control temperature for the metal of the castings, where the temperature of the castings is maintained at or above the process control temperature as the castings solidify, *Pollkoetter* is insufficient to support a rejection of amended claim 1 and its associated dependent claims under 35 U.S.C. §102(a). As such, it is respectfully requested that this rejection be withdrawn.

IV. CLAIM REJECTION UNDER 35 U.S.C. § 103(a)

In the Office Action, claims 4-10 and 23-31 were rejected under 35 U.S.C. § 103(a) as being obvious over *Pollkoetter* in view of the ASM Handbook, Vol. 4 (the “*Handbook*”). Claims 10 and 23-31 are canceled hereby. In view of the amendments to claim 1 and its associated dependent claims 4-9, it is believed that this rejection is now obviated.

As discussed above, *Pollkoetter* does not teach or suggest an integrated metal processing facility comprising, *inter alia*, a controller for controlling the amount of heat applied to the castings to maintain the temperature of the castings at or above a process control temperature for the metal of the castings, where the temperature of the castings is maintained at or above the process control temperature as the castings solidify, as provided by amended claim 1 and its associated dependent claims 2-4.

The teachings of the *Handbook* are not sufficient to supplement the deficiencies of *Pollkoetter* to arrive at Applicant's claimed invention. The *Handbook* provides information about different types and configurations of heat treatment furnaces. The *Handbook* does not teach or suggest an integrated metal processing facility comprising, *inter alia*, a controller for controlling the amount of heat applied to the castings to maintain the temperature of the castings at or above a process control temperature for the metal of the castings, nor does it teach or suggest maintaining the temperature of the castings at or above the process control temperature as the castings solidify. Thus, even if *Pollkoetter* and the *Handbook* are properly combined, the combination does not teach or suggest each and every element of Applicant's invention as set

forth in amended claims 4-9, as is required to support a rejection under 35 U.S.C. §103(a). As such, it is respectfully requested that this rejection be withdrawn.

V. NEW CLAIMS

New claims 32-67 are respectfully submitted for entry and consideration. New claims 32-34 depend from amended claim 1. New claims 32-34 are believed to be allowable in that neither of the cited references disclose the integrated metal processing facility presented therein.

New claim 35 and its associated dependent claims 36-45 are directed generally to a system for processing castings formed from a molten metal including, *inter alia*, a controller for controlling the amount of heat applied to the castings to maintain the temperature of the castings at or above a process control temperature for the metal of the castings, where the temperature of the castings is maintained at or above the process control temperature as the castings solidify. New claim 35 is believed to be allowable in that neither of the cited references disclose the system presented therein. Furthermore, new claims 36-45 are believed to be allowable because each claim adds an additional limitation or further defines the integrated metal processing facility of claim 35.

New claim 46 and its associated dependent claims 47-56 generally are directed to an integrated metal processing facility comprising, *inter alia*, a process temperature control station comprising a chamber through which the castings are passed prior to heat treatment, and a means for arresting cooling of the castings at a temperature at or above a process control temperature while enabling the castings to solidify. New claim 46 is believed to be allowable in that none of the cited references teach or suggest the integrated metal processing facility presented therein. Furthermore, new claims 47-56 are believed to be allowable because each claim adds an additional limitation or further defines the integrated metal processing facility of claim 46.

New claim 57 and its associated dependent claims 58-67 are directed generally to a system for processing castings formed from a molten metal comprising, *inter alia*, a process temperature control station comprising a chamber through which the castings are passed prior to heat treatment, and a means for arresting cooling of the castings at a temperature at or above a process control temperature while enabling the castings to solidify. New claim 57 is believed to be allowable in that none of the cited references teach or suggest the system presented therein.

Further, new claims 58-67 are believed to be allowable because each claim adds an additional limitation or further defines the system of claim 57.

VI. CONCLUSION

It is respectfully submitted that claims 1-9 and 32-67 recite inventions that are novel and non-obvious over any of the are cited by the Examiner, as no art teaches or discloses the claimed aspects of the present invention as shown and described in this application. Thus, the foregoing is submitted as a full and complete response to the Office Action mailed June 15, 2004, and is believed to place all claims in the application in condition for allowance.

If the Examiner believes that there are any issues that can be resolved by telephone conference, or if there are any informalities that may be addressed by an Examiner's amendment, please contact the undersigned at (404) 879-2437.

The Commissioner is hereby authorized to charge any fees due, or credit any overpayment, to Deposit Account No. **09-0528**.

Respectfully submitted,



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